

Exposition Metro Line Construction Authority

6.b

DATE: AUGUST 4, 2005

TO: BOARD OF DIRECTORS

**FROM: RICHARD D. THORPE
METRO CHIEF CAPITAL MANAGEMENT OFFICER**

**SUBJECT: EXPOSITION METRO LINE CONSTRUCTION AUTHORITY
PROPOSED ADMINISTRATIVE CODE**

RECOMMENDATION

That the Board of Directors adopt the Exposition Metro Line Construction Authority (Authority) Administrative Code set forth in Attachment A. This Administrative Code, if adopted, will be subject to review and approval as to form by the Authority General Counsel once this individual is retained by the Authority.

SUMMARY

California Public Utilities Code section 132610 requires that the Authority adopt an administrative code for administration of the Authority in accordance with applicable laws, including, but not limited to, the Ralph M. Brown Act, contracting and procurement, laws relating to contracting goals for minority and women business participation, and the Political Reform Act of 1974. The administrative code is also to include a code of conduct for employees and board members consistent with the requirements set forth in section 132610.

DISCUSSION

Pursuant to Public Utilities Code Section 132610, the Authority has all of the powers necessary for planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using, disposing of, designing, procuring, and building the Exposition Light Rail Project. The recommended action would create an Authority Administrative Code containing a code of conduct for employees and board members and a comprehensive set of policies and practices for the operation of the Authority, which would satisfy the requirements of the Public Utilities Code.

This proposed Authority Administrative Code is similar to the code adopted by the Pasadena Gold Line Construction Authority and would contain a complete set of all

policies and practices with a uniform format and numbering system. Although every effort has been made to ensure that the provisions of this Code conform to applicable law, this Administrative Code will be subject to review and approval as to form by the Authority General Counsel once this individual is retained by the Authority. In the event of any conflict between the applicable laws and this Code, the applicable laws shall control. If this Code is adopted, future changes in administrative policies and practices of the Authority will be included in the Code at appropriate locations utilizing the same format and numbering system. Copies of the Code would be provided to appropriate offices and libraries and updated on a regular basis as changes are enacted.

The proposed Administrative Code contains the following provisions:

Title I – Administration

Chapter 1- General Provisions

Chapter 2 - Board of Directors

Chapter 3 – Board Appointed Officers

Chapter 4 – Personnel

Chapter 5- Expense Reimbursement and Travel Procedures

Chapter 6- Real Property and Relocation

Title II -- Code of Conduct

Chapter 1 – General Provisions

Chapter 2 – Specific Conflict of Interest Provisions

Title III--Contracting and Procurement

Chapter 1 – Procurement Policy and Standards

Chapter 2 – Procurement Generally

Chapter 3 – Sealed Bids

Chapter 4 – Design and Build Contracts

Chapter 5 -Competitively Negotiated Contracts

Chapter 6- Small Purchase Procedures

Chapter 7 – Non-Competitive and Emergency Procurements

Chapter 8- Payment of Living Wage

FINANCIAL IMPACT

There is no significant direct financial impact which will flow from the adoption of this ordinance.

[ATTACHMENT](#)

[Administrative Code](#)